The PRETENDED PERSPECTIVE-GLASS;

Or ſome

REASONS

OF

Many more which might be Offered,

Againſt the pretended

REGISTRING REFORMATION.

LONDON,

Printed in the Year MDCLXXI

Some Reaſons of many more which might be offered againſt the pretended Regiſtring Reformation.

IT cannot be denyed by any who have converſed with the right Reaſon of Laws, and Rules of Government, That Innovations are more than a little dangerous, becauſe there cannot poſſibly or probably be at once a certain and clear proſpect made of all the evils, contingencies, and unevitable conſequences which either will or may happen by it: And therefore have adjudged it to be more conducing to the Weal-publick, rather to ſuffer ſome few or ſeldom miſchiefs not fatal, than many Inconveniences. Which will not be eſcaped in ſuch a Renverſe or Plowing up of all or the greateſt part of the Eſtates and Credit of the Kingdom, and the product of ſo many ſad effects as will attend it; And may not be thought to be either a Probleme or Paradox in a Nation harrowed and torn by War and Confuſions: If it ſhall be conſidered,

That at the end thereof all the Coyn which wore the *Harp* and *Croſs*, being a moiety if not more than the legitimate money of King *Philip*, Queen *Mary*, Queen *Elizabeth*, King *James*, and King *Charles* the *Martyr* amounted unto, did not with much of it which

was counterfeited, when it was called into the Mint by his now Majesty, exceed Two Millions Sterling and an half; and that too much of that money, and other afterwards Coyned, hath been transported, melted down into Plate, or fooled away by the Consumption of our Gold and Silver, to adorn those that should not wear it; and that the people of *England* for above 18. years Civil Wars, Plunderings, Sequestrations, and Free-quarter of Armies and Souldiers, and above 20. years very great and various Taxes, are so universally indebted, as it may rationally be believed that the most part of them live more upon Credit, than any certain or real Estate or Subsistence of their own; that much of the Lands of *England* if it should be sold, will scarcely pay the Debts which might be charged upon the Owners thereof; and that a great part of the City of *London* now so stately Re-built, hath been brought to that perfection by Credit and Money borrowed, which would not otherwise have been effected.

That our Nobility and Gentry, the most of which made their Loyalty to their King, and their love to the Religion, Laws and Liberties of the Kingdom, to be their ruine and impoverishment, will now by such a Registration be turned out of that Credit which was left to support their feeble and languishing Estates.

That our Merchants, whose Trades have brought Riches and Plenty into their Habitations, and to be Inmates and dwell with them, are for the most part three parts in four in Credit, and an opinion of a greater Estate than they can justly call their own.

And the Retailers, and now more than formerly lofty Shop-keepers, who have owed their low beginings to a small Stock, and a great deal of Credit, and

gain

gain ſo well by it as to afford to give 15 *per Cent.* to any that will adventure a joynt Trade with them, will when they ſhall be expoſed to the jealous eyes of the nice, over-timerous and ſuſpicious Uſurers or Money-lenders, be turned out of all their expectations, and made to ſubmit to the devouring and unmercifull Fangs of a Statute of Bankrupt, or give over their Trade and be better acquainted with humility.

The Country Farmers when Corn or Cattel ſhall in their rates or prices fall ſhort of their hopes to pay their Land-lords Rents, ſhall not now be able to borrow money to pay them, if their ſmall Stock or Eſtates ſhall not be ſufficient to endure the ſeverity of a Tell-tale Regiſtration.

All Truſt and Credit, and the Faith, Charity and Love of Mankind one to another, whereby ſo many Families have had their riſe and foundation, and more have gained good imployments, will be ſo enervated and weakned, as men ſhall be affraid of that which they needed not to have troubled themſelves withall, and make them to be like crafty *Banyans*, and hard hearted *Jews* each to other.

The Merchants whoſe care of keeping their Credits, returning Moneys, and anſweriug Bills of Exchange, makes them dread a proteſt of Non-payment like ſome Plague or mortal ſickneſs, and whoſe punctual performances makes every day but Sundayes in every year many a ſcore if not hundreds of Bargains, for great ſums of money and concernments, without any Writing, Eſcript or Scrole, as the vulgar call it, will now have ſuch an Anatomy-Lecture read upon their growing more than certain Eſtates, as all men will not eaſily or without much ſearch have any thing to do with them.

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All Foreign Merchants willbe by such a Regiſtration affrighted and deterred from trafficking with our Merchants without ready money, the want whereof hath already by the cunning of the Banks beyond the Sea, who are made to riſe and fall according to the ſcarcity or plenty of money, put them under great diſadvantages in the buying or ſelling of their Commodities.

The *Dutch* and other Nations whoſe low Intereſt heretofore brought into *England* ſome Millions of Sterling money, to put to a more gainfull Uſury, will by ſuch a Regiſtration not adventure to bring over any more.

Foreign Princes which are or may be in Hoſtility with us, may by ſuch a means or direction diſcover the weakneſſe of the Nation, in their want of money either to offend others or defend themſelves.

Such a Contrivance will lay open and diſcover the beggery and wants of the People, be inconſiſtent with the humanity and mercy of the God of mercy and Juſtice, who commanded us not to afflict, bite or devour one another, nor to go into any mans houſe to fetch a Pledge (whereby to diſgrace him) and will as little agree with our *Magna Charta*, and the *Salvo Contenemento* of the Gentleman, *Waynagio* of the Country-man, or *Mercandiſa* of the Merchant, or the mercy and pity of our Laws in extending but a moiety of Lands upon a Judgement, and ſparing as long as poſſible the Oxen and Horſes of the plow.

That the *Romans* when their people mutined, and refuſed to go to War in regard of the oppreſsion of Uſury, did not offer them ſuch an ill compounded remedy as the intended Regiſtration, to publiſh and lay open their poverty and thereby adde to their miſery, but

did

did order that no Creditor ſhould take any Intereſt for certain years then to come.

Nor did the *Scotch* after their wars mingled with their own and our factions had greatly impoveriſhed them, deeme it to be any good for their people to have the fury of their Regiſtrate Bonds, and Horning, and Caption let looſe upon them, but locked up thoſe ſeverities and diſgraces, by ordaining that no Annual Rent or Intereſt, as they there call it, ſhould for certain Years after be demanded or taken.

That ſuch a device as the Regiſtration will not only undermine and overthrow a great part of our Laws, and the excellent form and beauty of the fabrick and ſtructure thereof, in which the Liberties and ſafety of the peoples Eſtates do reſide, and lead into Captivity their Laws and Liberties, but hinder and take away from the King his poſt Fines, and profit of Alienations, Green Wax, Fines upon Original Writs, and Seals in his Courts of Juſtice and Chancery, amounting to about Forty or Fifty Thouſand pounds *per Annum.*

Lay open and expoſe every mans Eſtate to Taxes and Aſſeſſements, when as the Regiſtring of all Mortgages and Alienations of Lands, can make no perfect diſcovery of Incumbrances, without the Regiſtring of Judgements, Statutes and Recogniſances, as well for the time paſt as to come.

Deſtroy or weaken the Trade of the City of *London*, and divert the profit of above 15. or 16. adjacent Counties, who have exceedingly improved their Rents and Eſtates by it.

That the Regiſtrate moveable Bonds in *Scotland*, had their original from the *Caurſini* the Popes Brokers in *England*, and from the miſcalled *Camera Apoſtolica*, in the Reign of our King *Henry* the third, baniſhed

baniſhed from hence by the cryes of the oppreſſed people; and that to take as they do Regiſtrate Bonds for Debts, and keep them dormant for 6. or 12. months, or a greater time after, and afterwards Regiſter them, may ſo conceal Debts and Engagements, and weakneſſes of Eſtate, as may rather increaſe the hazzard and damage of the lenders of money, than prevent it.

That the Office of General Remembrancer of all Incumbrances, hath ſeveral Parliaments in the Reign of King *James* troubled and attended them for a confirmation, and could never obteyn it, was refuſed and certified by Sr. *Edward Coke*, and the Judges to whom it was referred, to be againſt the Weal-publique, miſſed of its purpoſe in the Parliaments of King *Charles* the *Martyr*, was entertained by *Oliver*, and his ignorant and mechanick party as a ready means to Level and overturn our Laws, and make his Saints ſome ſeats or buſineſs of Judicature in the ſeveral Counties, but went do further than its *Embrio*, becauſe his ſo called Parliament could not agree in 6 Moneths time, what ſhould be called *Incumbrances*, and hath been rejected in a late Seſsion of this Parliament.

And beſides its uſhering in of theſe and many other miſchiefs and inconveniencies, will be needleſs when every man which doth but know any thing in our Laws, or hath ever bought or ſold Land, or ſought to recover any which hath been aliened from him, or had Intailes which his careſull Anceſtors thought to have been an unalienable proviſion for him and his poſterity, docqued and cut off, cannot but confeſſe that our Laws have from time to time been exceeding careſull, and made it to have been a great part of their buſineſs to ſecure and protect Purchaſors *Bona Fide*, who are already

already as well (if not more) provided for in their Conveyances and Aſſurances, as any Nation under Heaven; and as far alſo as the care or wit of man could hitherto conceive it to be neceſſary, by Feoffments with livery and ſeiſin, Fines and Recoveries, Leaſes and Releaſes, Demiſe and Redemiſe, Warranties, Bars and Non-claims, Preſcriptions, Eſtoppels, Entries tolled, Judgements, Statutes and Recogniſances, with Collateral ſecurity to perform Covenants, diſcovery of Incumbrances upon Oath; the Statute of the 27th. of King *Henry* the 8. for transferring of uſes into poſſeſſion; the Act of Parliament for Inrolling of Deeds of Bargain and Sale; an Act to preſerve the Eſtate of Tenants for years, in a Recovery ſuffered by one in Reverſion; An Act of Parliament in the 2. and 3. year of King *Edward* the 6. for ſaving and allowing of Leaſes and other kind of Eſtates, not found in any Inquiſition, or Office, to intitle the King; three or four Statutes or Acts of Parliament againſt Fraudulent Aſſurances, or ſuch as go about to deceive men of their Debts: and another in the 27th. year of the Reign of Queen *Elizabeth*, ordaining a forfeiture of a years value of the Land by ſuch as are parties or privies in or unto ſuch deceipts; the Statute made in the 23th. year of her Reign for inrolling of Fines and Recoveries, to avoid Errors in them; three or four Statutes or Acts of Parliament concerning Bankrupts.

The Statute againſt forging of Deeds, the Statute made in the one and twentieth year of the Reign of King *James*, for Limitations of Writs of *Formedon*, unto twenty years after the Title accrewed; and another to quiet the Titles of all men againſt the King, certain Caſes only excepted, which had been in ſixty years quiet poſſeſſion; another that the Lands and Eſtates of

men dying in Execution ſhould be chargable with their Debts; and another to make it Felony againſt ſuch as ſhould leavy Fines, ſuffer Recoveries, or acknowledge Judgements, Statutes or Recogniſances in other mens names, with the Rule of expounding Grants, ſtrictly againſt the Grantors; Debts to be payd before Legacies, and Truſts to be voyd as againſt Creditors, and many other ayds and aſſiſtances not here enumerated, which the Laws have been at all times ready to contribute to ſuch as ſhall timely or ſeaſonably require or make uſe of them.

And the pretences of making Lands to ſell at greater Rates, for that as is alleaged the Titles are ſo fraudulent, and Lands ſo doubly and trebly Mortgaged, as men are ſuppoſed to be afraid to purchaſe or lend any money upon them, and that Trade is greatly hindered by it, when all the Securities which men can take for their debts are ſo deficient, and that thereby many ſuites and contentions have ariſen which otherwiſe would not have been, may vaniſh and no more diſturbe their Fancies.

When the Fines and Recoveries of 20. 30. or 40. years laſt paſt, will Demonſtrate plenty of purchaſes and a great deal of Land ſold, or aliened in every of thoſe Counties.

And the Records and Decrees of Chancery, being the Pool of *Betheſda*, whither all men deceived by Mortgages or fraudulent Conveyances do come for relief, can if compared with the number of Fines and Recoveries, and Bargains and Sales that do paſs in every year, teſtifie that there is not much above one in every thouſand that falleth into ſuch a misfortune; that in theſe late times the rich and gaining party, by the ſufferings and miſeries of the loyal party, have not been afraid

to

to have Joyntures ſetled upon their daughters given in marriage with great Portions, to take Rent charges and annuities for moneys lent by Cheviſance, and for more then the legal intereſt, or have bought indebted Gentlemens eſtates, and gained well by monies left in their hands to clear incumbrances, and many times according to the latitude of their conſciences, compounded them to their own no ſmall advantage; and there is commonly as much difference between Trade and lending of mony, as betwixt a Trades man borrowing of mony, and one that is no trades man lending it.

When ſo many Commiſſions of Bankrupt iſſuing out every year, and the crafty Trades men ſoddering up themſelves again by a compoſition, or three or four ſhillings in the pound, can tell on which ſide the loſs and hazards do lye.

And the grand increaſe of Trade appearing by the Cuſtome houſe books, and the overſtocking of Trade, by ſo great numbers applying themſelves unto it, may declare that there is no defect in our Laws which may deſerve ſuch a ſcandal or needleſs reformation, which will bring upon the people greater miſchiefs or inconveniencies then it pretends to prevent or avoid; when the loſs of money, by reaſon of the failings of ſecurities, or the inſufficiency of Debtors, by the pride and luxury of the times, ſo greatly gone beyond that of former years or ages, will appear to be more the cauſe of it then any the defects in our Laws, and that the cry and clamour not unlikely to be deſignedly raiſed concerning the loſs of debts and increaſe of ſuits and actions at Law is more than needs; when if it ſhall as it may be evidenced upon ſearch & enquiry, that of ſome thouſands of writs and actions made out by our Courts of Juſtice amongſt ſuch a multitude of people,

and their variety of affairs, that there are more then one half of them ended in one Term or two, and a very few of the remainder, unleſs for difficulty, or by reaſon of the peeviſhneſs of ſome of the parties, do ſeldome laſt to the years end; and that if all the Commiſsions of Bankrupts taken out for ſeven yeares laſt paſt, and the number of priſoners for debt which have layne a year undiſcharged in the Priſons of the *Kings Bench*, and the *Fleet*, *Marſhalſea*, the two *Compters* in *London*, and all the County and other priſons in *England*, were taken, it may give all unbyaſſed men cauſe and reaſon enough to believe that there is no ſuch danger or loſs in lending of money or getting it in again, or that it is the cauſe of many ſuits or actions, when if there could be any ſuch fear of frauds, they may without ſuch miſchiefs and inconveniencies better be ſecured by a ſhort Act of Parliament, to ordain all intails, deeds of uſes and Mortgages to be inrolled in His Majeſties high Court of Chancery; and that whoſoever ſhall fraudulently Mortgage any land, or wittingly conceal any former Mortgage thereof, ſhall incurr the pains and penalties ordained in caſe of *Præmunire*, or a forfeiture of the double value to the party grieved.

That Extremities will drive and neceſſitate men to ſeek releif and difficulties of Juſtice, or obtaining it make a temptation of giving or taking bribes, now put into a new diſguiſe or Periwigg and called gratifications.

That the bringing down of money to *6 per Cent.* hath as frequent Experiences may inform thoſe whoſe Eſtates have been ſucked into a Conſumption by it, made too many refuſe to lend money without as much brocage as hath amounted unto 8 or 10 *per Cent.* and taught them to prey and work upon mens neceſſi-

ties,

ties, by denying to lend money without Rent charges or Annuities, which may bring them 12 or 14 *per Cent.* and hath brought into a kind of trade and improvement of mony that horrid uſury and brocage now practiſed by taking of pawns and loan of money at 60, 40, 30, or 25 *per Cent.* which like Locuſts and Caterpillers devouring every green thing, have almoſt covered this impoveriſhed Nation. And that the hardning of mens hearts by ſuch an inſpection into all mens Eſtates, and creating them by that means as many advantages as they pleaſe, will when people cannot borrow moneys as formerly upon reaſonable ſecurities cauſe an increaſe of the Trade of *Tally* men, who do now gain a great deal more than *Cent. per Cent.* by furniſhing the Market-women and Heglers, and the Cryers in the Streets and other neceſſitous people, with Clothes, Houſhold-ſtuff, or other neceſſaries, and lending them money at 12 *d.* a week for every 20 *s.*

That the nature of the *Scots*, much differing from that of the *Engliſh*, and the general poverty of that Nation, cauſing the ſtricter tyes in their Bonds and Obligations, and the grand ſeverities uſed in them, may be more agreeable to the Laws and Conſtitution of that people, than the more rich and tender hearted *Engliſh*.

That the Laws and Cuſtoms of *Holland*, and the United Provinces, where they have few Gentry, little Land, many Burgers, Towns and Corporations, and where the Husband, Wife, Children and Servants do continually buſie themſelves in Trade and Merchandize, may better endure the Notarial Acts (not much uſed amongſt them) conveyed unto them by the Civil Law, and the Regiſtrings which the 200th. penny paid to their *States* upon the ſale of Houſes doth

doth in a manner neceſſitate, but cannot amongſt a people whoſe Trade and Stocks are ever buſily imployed in their Herring-Buſſes, or are ever ſending out or taking in their perſonal Eſtates in Money or Goods, to or from all the parts of the habitable World, admit or give them ſo clear a Perſpective as our men of the Regiſtring Reformation dream of; and yet when they are beſt of all pleaſed with it, they as well as the *Spaniards* and other tranſmarine Nations, are to confeſs that they have more Appeals and Staires of Contention to climbe in many of their Suits and Actions, than we have in *England*, and are not without as many Actions and Suits proportionably to the ſmall extent of their Dominions, and their many little Judicatories.

That thoſe who alledge that our Laws are undervalued and ſlighted in the parts beyond the Seas, and believed to be defective, may well allow us to think well of our own, and blame ſuch opinions of Foreigners, who cenſure our Laws when they do not underſtand the Language they are written in; and when our learned *Forteſcue*, whoſe Exile in *France* in the latter end of the Reign of our King *Henry* the 6th. gave him the opportunity of comparing the excellency of our Laws, very much ſince adorned with an addition of many good Statutes and Acts of Parliament, and the defects of the *French*, did write his Book in the praiſe of ours, and the diſpraiſe of theirs.

Forteſcue *de laudibus legum Angliæ.*

That the *Decrets* of *France*, and *ringing out of a Bell* in ſome parts of the United Provinces, for a confirmation of Titles and quieting of future Claims, do not operate ſo much or ſtrongly as our Recoveries and Fines, with Barres upon Non-claims, do with leſs noiſe and diſparagement.

And

And that if it were fit or could be reaſonable for the people of *England* to experiment all thoſe miſchiefs and inconveniences which may as certainly as ſadly happen to us, as it did to the well-wiſhing Daughters of the aged *Felias*, who deſtroyed him againſt their will, by letting out his old blood in their hopes of new; yet the Regiſtring Reformers can never arrive to any other end of their Propoſals, than that of getting Offices and Imployments to ruine or perplex the people.

When as that which they would undertake will prove to be impoſſible and unpracticable, unleſs they can foretell and aſcertain the Lenders, that men who are now indebted & behind hand, will never be before hand or rich, or that thoſe that are rich will never be poor, or have any misfortunes; or can aſſure any Money-lender that ſuch a Lord of a Mannor will have no Eſtates or Lands fall unto him; or ſuch or any other perſon, Merchant, Trader, or Borrower, will have no Legacy given him, no Executorſhip or Heirſhip happen unto him, or what loſſes or gains may happen by Trade or Adventure by Sea or Land, what will be the profit or loſs of the next enſuing Harveſt, how much or how little a man that appears to be a Lender of Money in their Regiſtry, hath in truſt for Orphans or others, how much a Foreigner hath of his own Bank or Money in *England*, when he puts out Money to Intereſt for his Countrymen, what Leaſes of Lands have been made upon great Fines taken and little Rent reſerved, what Leaſes or Eſtates have or will be forfeited by Treaſon, Rebellion, or otherwiſe; what Dower thoſe women may reſort unto, whoſe Joyntures were made during Marriage or Coverture; or what Elopements they are guilty of; what Moneys are Inſured by Policies of Exchange, or what Bills of Exchange have been accepted;

what

what diſheriſon of Heirs apparent, Illegitimacies, intruſions and wrongfull Entries, what Actions of *Battery* and *Scandal*, and other Actions or Suits in Law or Equity, which may leſſen or prejudice any mans Eſtate, may happen; what *Aſſumpſits*, Promiſes or Engagements have been made by word of mouth, (which may make as many Obligations, Troubles and Tyes upon mens Eſtates, as Bonds or Bills can do or did before ſuch kind of Writings were invented:) what *Embargoes*, or what ruines by high-flying, gaming or gadding Wives, prodigal Children, loſſes by Fire, War, Factors, or bad Servants, Suretiſhip, or too much truſting, incurring of Penal Laws and *Præmunires*, death of thoſe for whoſe lives they held Lands or Eſtate, or had any dependence upon, ſickneſs, decay of Trade, deceits or wrongs done by others, vain and unneceſſary expences, or follies, may happen; when as many mens Actions paſt or to come *in facto*, or *fieri eſſe*, or *poſſe*, which are not viſible before hand, or to be found in any Regiſtry, may prove to be no ſmall *Incumbrances* to *Money-lenders*, with many other dangers, contingencies and particulars, of which the *Regiſtring Reformers* will not be able to find ſuch a certainty as a Table of *Tides* will give us of the Tides or High-water at *London-bridge*, but leave thoſe that will truſt to their diſcoveries to as great a hazard to be deceived, as thoſe that truſt to Mr. *Wings* Almanack for Weather & Eclipſes, ſold in this year and ſome years before by the Stationers as this years or a preſent Calculation, when he hath been dead long before; or meet with as good a *Directory* as Mr. *William Lillies* hit or miſs gueſſing Almanacks, made out of wild and random conjectures, which in a Multiplying-glaſs of fears and jealouſies, beſtowed upon the people by the propoſed Regiſtry, making a Mouſe to ſeem as big as an Elephant,

or

or a *Pigmee* as formidable as a *Goliah*, will be ſure to unhinge, diſlocate and diſturbe moſt of the affairs of the Nation.

And that therefore in a buſineſs of ſo many dangers, and concernements of ſo many mens Eſtates, there being more need to erect *Mont Pietes* in every County, now ſucceſsfully practiſed in many parts beyond the Seas, to relieve the people in their debts and oppreſſion, increaſed by an Unchriſtian-like Uſury and Brocage, then to encourage ſuch a deſign of Regiſtring; it may rationally be hoped that the Parliament of *England* will do as the Nobility and Peers of *England* did in a Parliament in the 20th. year of the Reign of King *Henry* the third, when it was but propoſed that Children born out of Wedlock might be declared to be Legitimate by the after marriage of the parents, ſtoutly to reſolve, *Nolumus mutare Leges Angliæ.*

FINIS.